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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/810,534 | 03/19/2001 | Masahiro Machida | 108973 | 6709 |

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EXAMINER

ARSHAD, UMAR

ART UNIT PAPER NUMBER

2174

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/810,534

Applicant(s)

MACHIDA ET AL.

Examiner

Umar Arshad

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3 – 7, and 9 – 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Miller et al., U.S. Patent No. 6,661,437.

As per claim 1, Miller teaches an operating method for sequentially performing settings for plural items in predetermined order, comprising the steps of:

sequentially displaying plural setting frames provided to the plural items, respectively; and

displaying the plural items when one of the plural setting frames is displayed (see Miller, figure 9, items 910, 915, and 920 and column 7, lines 44 – 55).

As per claim 3, which is dependent on claim 1, Miller teaches the method of claim 1 (see rejection above). Miller further teaches the operation method as claimed in claim 1, wherein values which have been set are displayed for the items which have

been already set (see Miller, figure 9, item 915 and column 7, lines 44 – 55).

As per claim 4, which is dependent on claim 1, Miller teaches the method of claim 1 (see rejection above). Miller further teaches the operating method as claimed in claim 1, wherein an operation of displaying a setting frame for an item which has been already set is allowed to be carried out when one of the plural setting frames is displayed (see Miller, figure 9, item 915 and column 7, lines 44 – 55).

As per claim 5, which is dependent on claim 4, Miller teaches the method of claim 4 (see rejection above). Miller further teaches the operating method as claimed in claim 4, wherein the setting frame for the item which has been already set is displayed, the setting for the item is carried out, and the setting frame being displayed is automatically restored to a previous setting frame which is displayed just before the setting frame for the item which has been already set is displayed (see Miller, figure 9, items 910, 915, and 920, and column 7, lines 44 – 55; it is inherent that the current setting frame will be displayed as the setting frames for previously selected settings after it is set).

As per claim 6, which is dependent on claim 5, Miller teaches the method of claim 5 (see rejection above). Miller further teaches the operating method as claimed in claim 5, wherein when the setting frame is restored to the previous setting frame, a state which has been just previously set is maintained (see Miller, figure 9, items 910,

915, and 920, and column 7, lines 44 – 55; it is inherent that the state that is set is maintained if the state is displayed in the previously set frames which were set in the sequence prior to the setting frame currently being displayed).

As per claim 7, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

As per claim 9, which is dependent on claim 7, it is of similar scope to claim 3 and is rejected under the same rationale as claim 3 (see rejection above).

As per claim 10, which is dependent on claim 7, it is of similar scope to claim 4 and is rejected under the same rationale as claim 4 (see rejection above).

As per claim 11, which is dependent on claim 7, it is of similar scope to claim 5 and is rejected under the same rationale as claim 5 (see rejection above).

As per claim 12, which is dependent on claim 5, it is of similar scope to claim 6 and is rejected under the same rationale as claim 6 (see rejection above).

As per claim 13, it is of similar scope to claim 1 and is rejected under the same rationale as claim 1 (see rejection above).

Claims 14, 18 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Humpleman et al., U.S. Patent No. 6,603,488.

As per claim 14, Humpleman teaches an operating method for sequentially performing settings for plural items in predetermined order to perform settings for a processor, the method comprising the steps of:

carrying out a processing operation of the processor on the basis of the contents set for the plural items (see Humpleman, column 21, lines 36 – 41);

and maintaining the contents set for the plural items (see Humpleman, column 21, lines 36 – 41).

As per claim 18, Humpleman teaches an operating device for sequentially performing settings for plural items in predetermined order to perform settings for a processor, the device comprising: a holding unit that holds contents set for the plural items after the processing operation of the processor is carried out on the basis of the contents set for the plural items (see Humpleman, column 21, lines 36 – 41; it is inherent that the macro will be stored after the execution of the macro because it is saved in the memory of a device).

As per claim 22, it is of similar scope to claim 18 and is rejected under the same rationale as claim 18 (see rejection above).

Claims 16, 17, 20 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Fado et al., U.S. Patent No. 6,067,084.

As per claim 16, Fado teaches an operating method for sequentially performing settings for plural items in predetermined order to perform the setting for a processor, the method comprising:

enabling provision of instruction for all the settings for the plural items to be initial settings (see Fado, column 7, lines 33 – 42; the examiner interprets microphone and mixer controls as plural items).

As per claim 17, which is dependent on claim 16, Fado teaches the method of claim 16 (see rejection above). Fado further teaches the operating method as claimed in claim 16, wherein the instruction is provided on an initial frame (see Fado, column 7, lines 33 – 42).

As per claim 20, it is of similar scope to claim 16 and is rejected under the same rationale as claim 16 (see rejection above).

As per claim 21, which is dependent on claim 20, it is of similar scope to claim 17 and rejected under the same rationale as claim 17.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al., U.S. Patent No. 6,661,437 in view of Berman, U.S. Patent 5,845,124.

As per claim 2, which is dependent on claim 1, Miller teaches the method of claim 1 (see rejection above). Miller further teaches the operating method as claimed in claim 1, wherein items which are being set are displayed as to be distinguishable (see Miller, figure 4, item 415). Miller does not teach wherein items which have been already set and items which have not yet been set are displayed so as to be distinguishable from one another.

Berman teaches wherein items which have been already set and items which have not yet been set are displayed so as to be distinguishable from one another (see Berman, column 8, lines 1 – 13; it is inherent that items which have not yet been defined are displayed as regular lines if there are three different contrasting shades, and items

which are currently being defined are depicted with solid bold lines and items which have been previously defined are depicted with dotted bold lines). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Berman with the method of Miller in order to provide a distinction that is easily recognized by the user.

As per claim 8, which is dependent on claim 7, it is of similar scope to claim 2 and is rejected under the same rationale as claim 2 (see rejection above).

Claims 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al., U.S. Patent No. 6,603,488 in view of Shiels, U.S. Patent 5,751,953.

As per claim 15, Humpleman teaches the method of claim 15 (see rejection above). Humpleman does not teach the operating method as claimed in claim 14, wherein after the processing operation of the processor is executed, an instruction can be provided as to whether the contents set for the plural items are maintained or the contents set are cleared.

Shiels teaches wherein after a processing operation of the processor is executed, an instruction can be provided as to whether the contents set for the plural items are maintained or the contents set are cleared (see Shiels, column 7, lines 32 –

35). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Shields with the method of Humpleman in order to give the user a chance to save or discard settings set for a particular process.

As per claim 19, it is of similar scope to claim 15 and is rejected under the same rationale as claim 15 (see rejection above).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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